

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Stephen TUCK and Gary VAN NEST

Serial No.: 09/713,136

Filing Date: November 14, 2000

For: IMMUNOMODULATORY COMPOSITIONS
CONTAINING AN IMMUNOSTIMULATORY
SEQUENCE LINKED TO ANTIGEN AND
METHODS OF USE THEREOF

Examiner: To Be Assigned

Group Art Unit: 1645

RECEIVED

JUL 10 2001

TECH CENTER 1600/2900

PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Dynavax Technologies Corporation, the assignee of the entire right, title and interest in
this application, under 37 C.F.R. § 3.71 hereby appoints:

Randolph Ted Apple (Reg No. 36,429)	Laurie A. Axford (Reg No. 35,053)
Sanjay S. Bagade (Reg No. 42,280)	Joseph Barrera (Reg No. 44,522)
Erwin J. Basinski (Reg No. 34,773)	Shantanu Basu (Reg No. 43,318)
Richard R. Batt (Reg No. 43,485)	Frank P. Becking (Reg No. 42,309)
Vincent J. Belusko (Reg No. 30,820)	Jonathan Bockman (Reg No. 45,640)
Kimberly A. Bolin (Reg No. 44,546)	Barry E. Bretschneider (Reg No. 28,055)
Tyler S. Brown (Reg No. 36,465)	Nicholas Buffinger (Reg No. 39,124)
A. Randall Camacho (Reg No. 46,595)	Mark R. Carter (Reg No. 39,131)
Robert K. Cerpa (Reg No. 39,933)	Peng Chen (Reg No. 43,543)
Alex Chartove (Reg No. 31,942)	Thomas Chuang (Reg No. 44,616)
Thomas E. Ciotti (Reg No. 21,013)	Cara M. Coburn (Reg No. 46,631)
Matthew M. D'Amore (Reg No. 42,457)	Raj S. Davé (Reg No. 42,465)
Peter Davis (Reg No. 36,119)	Stephen C. Durant (Reg No. 31,506)
Carolyn A. Favorito (Reg No. 39,183)	David L. Fehrman (Reg No. 28,600)
Hector Gallegos (Reg No. 40,614)	Thomas George (Reg No. 45,740)
Debra J. Glaister (Reg No. 33,888)	Kenneth R. Glick (Reg No. 28,612)
Johney U. Han (Reg No. 45,565)	Douglas G. Hodder (Reg No. 41,840)
Alan S. Hodes (Reg No. 38,185)	Charles D. Holland (Reg No. 35,196)
Peter Hsieh (Reg No. 44,780)	Wayne Jaeschke, Jr. (Reg No. 38,503)

Madeline I. Johnston (Reg No. 36,174)
Parisa Jorjani (Reg No. 46,813)
Richard C. Kim (Reg No. 40,046)
Kawai Lau (Reg No. 44,461)
Michael J. Mauriel (Reg No. 44,226)
Philip A. Morin (Reg No. P-45,926)
Martin M. Noonan (Reg No. 44,264)
Paul J. Riley (Reg No. 38,596)
Terri Shieh-Newton (Reg No. 47,081)
Kevin R. Spivak (Reg No. 43,148)
Michael R. Ward (Reg No. 38,651)
Todd W. Wight (Reg No. 45,218)
David T. Yang (Reg No. 44,415)
George C. Yu (Reg No. 44,418)

Richard D. Jordan (Reg No. 33,519)
Ararat Kapouytian (Reg No. 40,044)
Cameron A. King (Reg No. 41,897)
Rimas T. Lukas (Reg No. 46,451)
Gladys H. Monroy (Reg No. 32,430)
Kate H. Murashige (Reg No. 29,959)
Catherine M. Polizzi (Reg No. 40,130)
Debra A. Shetka (Reg No. 33,309)
Rebecca Shortle (Reg No. 47,083)
Stanley H. Thompson (Reg No. 45,160)
E. Thomas Wheelock (Reg No. 28,825)
Frank Wu (Reg No. 41,386)
Peter J. Yim (Reg No. 44,417)
Karen R. Zachow (Reg No. 46,332)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.


Please direct all written communications relative to this application to:

Karen R. Zachow
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

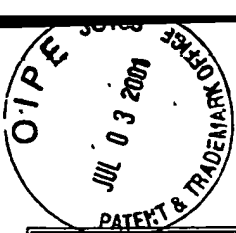
Please direct all telephone communications to Karen R. Zachow at (650) 813-5895.

DYNAVAX TECHNOLOGIES CORPORATION
a Delaware corporation

Dated: June 6, 2001



Name: Dino Dina
Title: President and Chief Executive Officer
Address: 717 Potter Street, Suite 100
Berkeley, California 94710

**RECEIVED**

JUL 10 2001

TECH CENTER 1600/2900

PTO/SB/96 (10-92)

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 377882001500

In the application of: Stephen TUCK and Gary VAN NEST
Serial No.: 09/713,136
Filed: November 14, 2000
For: IMMUNOMODULATORY COMPOSITIONS CONTAINING AN IMMUNOSTIMULATORY SEQUENCE LINKED TO ANTIGEN AND METHODS OF USE THEREOF

Dynavax Technologies Corporation, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From :
To:
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From :
To:
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

3. From :
To:
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.


☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: June 6, 01


Name: Dino Dina
Title: President and Chief Executive Officer

COPY

**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by Stephen TUCK and Gary VAN NEST (hereinafter referred to as the assignors), residing at 1742 Woodhaven Way, Oakland, California 94611 and 639 Skyline Drive, Martinez, California 94553, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in, IMMUNOMODULATORY COMPOSITIONS CONTAINING AN IMMUNOSTIMULATORY SEQUENCE LINKED TO ANTIGEN AND METHODS OF USE THEREOF set forth in an application for Letters Patent of the United States, bearing Serial No. 09/713,136 and filed on November 14, 2000; and

WHEREAS, Dynavax Technologies Corporation, a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 717 Potter Street, Suite 100, Berkeley, California 94710 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

June 6, 2001
Date

Stephen TUCK

June 6, 2001
Date

Gary VAN NEST